

## **REMARKS**

In the Office Action mailed by the United States Patent and Trademark Office on November 4, 2008, claim 1 was rejected under 35 U.S.C. 112, first paragraph as failing to comply with the written description requirement and claim 7 was objected to under 37 C.F.R. 1.75(c) as being of improper dependent form. Accordingly, Applicant respectfully provides the following:

### **Claim Rejections Under 35 U.S.C. § 112**

Claim 1 was rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The recitation of “butyospermum parkii” in claim 1 has been amended to “shea butter.” Accordingly, Applicant respectfully requests the withdrawal of the § 112 rejections.

### **Claim Objections**

Claim 7 was objected to under 37 C.F.R. 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant has amended claim 7 by deleting the recitation, “oxybenzone present in an amount between about 1-5 percent by weight.” Accordingly, Applicant respectfully requests the withdrawal of the 1.75(c) objections.


### CONCLUSION

Applicants submit that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicants request favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

Dated this 4 day of February, 2009.

Respectfully submitted,

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Doc#1105961